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5 **UNITED STATES DISTRICT COURT**  
6 **DISTRICT OF NEVADA**  
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8 JOSE FLORENTINE CRUZ,

2:12-cv-0682-LDG-RJJ

9 Plaintiff,

10 ORDER

11 v.  
12 KNIGHT TRANSPORTATION, INC.,

Defendant.

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14 After plaintiff's apparent failure to respond to written discovery requests, to appear for his  
15 own deposition, to provide for a "HIPAA" medical release as ordered by the magistrate judge, and  
16 to conduct any discovery on his own, defendant Knight Transportation, Inc., filed a motion to  
17 dismiss (#34, opposition #38, reply #40). On November 16, 2012, the magistrate judge granted  
18 plaintiff's counsel's motion to withdraw and granted an emergency motion to continue discovery  
19 (#42).

20 The court finds that plaintiff's discovery failures warrant sanction; however, given  
21 plaintiff's current pro se status, and the undeveloped record regarding efforts to compel plaintiff's  
22 compliance,

23 THE COURT HEREBY ORDERS that plaintiff shall have thirty (30) days from the entry  
24 of this order in which to respond to defendant's written discovery requests, to comply with the  
25 magistrate judge's order regarding the provision of the "HIPAA" medical release, and to contact  
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1 defendant's counsel with regard to dates for plaintiff's own deposition and the propounding of any  
2 of plaintiff's own discovery.

3 THE COURT FURTHER ORDERS that if plaintiff does not comply fully with this order,  
4 his complaint will be dismissed with prejudice.

5 THE COURT FURTHER ORDERS that the discovery plan and scheduling order deadlines  
6 are VACATED until further notice.

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8 DATED this 1 day of March, 2013.

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11 Lloyd D. George  
12 United States District Judge  
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